

EXHIBIT 1

Facts and Findings

- On Tuesday April 14, 2020, the SIS-Warrant Squad attempted a warrant service at 9400 Abercorn St Apartment 530. The target was Khalil Kelly who was wanted for Aggravated Assault (DVA).
- During the operation, Darryl Faitele was misidentified as Khalil Kelly and injured as a result of the operation.
 - Darryl Faitele received four stitches on his chin.
- Darryl Faitele and his mother, Rebecca Faitele, filed a complaint regarding how they were treated by members of the SIS-Warrant Squad, particularly Sgt. Octavio Arango and Cpl. Daniel Kang, including being slammed, slapped, and antagonized.
- Cpl. Kang's BWC captured most of the incident.
- Sgt. Arango identified Apartment 530 and witnessed a male (Darryl Faitele) who he believed was Khalil Kelly exit the apartment. Upon sight of police, Darryl Faitele went back into the apartment.
- Sgt. Arango breached the door and made the command "Out, out, Khalil out." Darryl Faitele stood from the couch and walked towards the door.
- Darryl Faitele approached the threshold, was pulled down by Cpl. Kang, and placed in handcuffs.
- Darryl Faitele told officers he was not Khalil Kelly and that his wallet was in his pocket.
- After being handcuffed, Darryl Faitele was stood up and walked towards a nearby chair when he was pulled/pushed and ended up falling face first into the chair.
 - Cpl. Kang stated Darryl Faitele was pulling back and forth and he and Sgt. Arango pushed him into the chair.
 - Sgt. Arango stated Darryl Faitele was pushing towards the door and he had to push him off to get him out of the doorway.
- Cpl. Kang retrieved Darryl Faitele's identification and confirmed it was not Khalil Kelly.
 - Cpl. Kang and Sgt. Arango advised he was under arrest for Obstruction by Hindering; therefore, not taken out of handcuffs.
 - Both advised the obstruction charge was because Darryl Faitele fled into the house.
 - No commands such as "police or stop" were made to Darryl Faitele.

EXHIBIT 1

- Darryl Faitele got into a cursing match with Sgt. Arango and Cpl. Kang while outside the apartment.
 - This lasted during most of the encounter.
 - **Exact quotes are included in the investigative narrative and can be heard via Cpl. Kang's BWC.**
- Darryl Faitele reported he did not spit on Sgt. Arango, but was slapped out of the chair.
 - Sgt. Arango stated Darryl's mouth was full of blood and he spit on his rifle's optic, legs, and sleeve.
 - Sgt. Arango stated he instinctively "stiff-armed" Darryl out of the chair.
- Darryl Faitele cursed at Cpl. Kang while he was below the balcony. Cpl. Kang ran up the stairs cursing as if he was going to fight Darryl Faitele before being turned around by APO Reagin.
- No attempts were made to deescalate the situation.
- Rebecca Faitele complained that Sgt. Arango was rude and cursed her out at the hospital.
 - Sgt. Arango stated his treatment toward Rebecca Faitele at the hospital was probably abrasive, but did not recall anything crazy.
 - APO Reagin was unable to give exact quotes, but advised it was things he did not think Sgt. Arango should be saying.
- Sgt. Arango did not administer discipline to Cpl. Kang because he acted in an unprofessional manner himself.
- APO Reagin's BWC was not activated because the battery was dead.
 - Sgt. Arango was aware APO Reagin's BWC battery was dead.
- Sgt. Arango's BWC was not activated.
- Sgt. Arango and Cpl. Kang advised that work stressors and the treatment of the SIS-Warrant Squad from superiors led to their actions.



ADMINISTRATIVE INVESTIGATION
Incident Report

OPS NUMBER:	20-0022
EMPLOYEE:	Sgt. Octavio Arango, Cpl. Daniel Kang, and APO Reagin
DATE:	4/14/2020
INVESTIGATOR:	Sgt. Richard Wiggins

The purpose of this report is to investigate a complaint filed by Darryl Faitele and his mother, Rebecca Faitele. On Tuesday April 14, 2020, Darryl Faitele was arrested by the SIS Warrant Squad, at 9400 Abercorn St Apartment 530, after initially being misidentified as a wanted subject named Khalil Kelly. During the arrest, Darryl reported inappropriate conduct on the part of officers to include excessive force. Rebecca reported that upon her arrival at the hospital, Sgt. Arango was aggressive, rude, and unprofessional.

The SIS Warrant Squad consisted of one sergeant and three officers. These were Sgt. Octavio Arango, Cpl. Daniel Kang, Cpl. Brandon Lord, and APO Ronald Reagin.

Darryl Faitele Complaint

Darryl Faitele filled out a written complaint form. I reviewed the written complaint and noted the following:

Darryl reported that he was at this location as a visitor and was getting ready to leave. He reported he walked out the apartment door, saw police approaching and saying, "come here." Darryl stated he did not know where they were heading, what was going on, and he saw guns, so his first instinct was to go back in the house and close the door. Once inside the residence, the door was kicked open without first knocking. Darryl reported he was the only person called to the door and he complied with his hands up. Darryl reported that as he got to the door, he was aggressively pulled down and slammed with force causing his chin to hit the ground first.

Darryl reported he was told something about a warrant, and he told the police that he was not the person they were looking for. Darryl further reported that he told the police his wallet was in his pocket. Darryl stated he was stood up in handcuffs and his wallet was then pulled from his pockets. Darryl stated the officers were aggressive and he was "blackening" in and out from the impact of his face hitting the ground. Darryl stated he was mad, upset, cussing, fussing, highly frustrated, and continuously seeing blood flying from his chin. Darryl stated his chin hurt badly, so he was tearing up to where he was crying. Darryl reported the Sgt./Officer who was aggressive towards him was now antagonizing him.



Darryl stated he spit a lot because his mouth was busted as well as his chin, but advised he did not spit on the officer. Darryl reported he spit several times, but this time, it landed near his shoes, at which point he was slapped while still in handcuffs. Darryl reported after he was slapped, the officer gripped him by his face while on the ground and said he hoped he caught Coronavirus.

Darryl stated he told the officer that he needed EMS, but the officer told him he did not need EMS. Darryl stated he was taken to the hospital where he received four stitches to his chin. Darryl reported he also had a busted blood vessel in his right eye. While being treated by the doctor, Darryl reported he was uncuffed and left in the Emergency Room.

A full copy of the written complaint is included in the file.

Rebecca Faitele Complaint

Rebecca Faitele filled out a written complaint form. I reviewed the written complaint and noted the following:

Rebecca reported that she arrived at Candler Hospital due to her son, Darryl, being assaulted. Upon her arrival, she spoke with a nurse who advised her that Darryl was escorted by police upon his arrival to the hospital. Rebecca reported the nurse told the officers she was there and wanted to speak with them. According to Rebecca, the nurse told her the officer was coming when he finished writing his report.

Rebecca stated an officer passed by, but never spoke to her. Rebecca stated she then parked her car and upon returning to the ER entrance she saw the same officers along with two additional officers talking. Darryl's girlfriend, Jaquesia Habeeb, who was present when the incident occurred, pointed out Sgt. Arango. Rebecca reported she approached Sgt. Arango and told him that she was told an officer was coming to speak with her. Rebecca reported that Sgt. Arango already had an attitude and told her that Darryl was lucky he was not going to jail.

Rebecca reported she replied to Sgt. Arango: "What the hell do you mean he is lucky after you assaulted my son you have the fucking nerves." According to Rebecca, Sgt. Arango told her that Darryl assaulted him by spitting on him while trying to show her something on the bottom of his pants and his arms. Rebecca's written complaint indicated she confronted Sgt. Arango that Darryl was bleeding because he was slammed on the ground after being handcuffed and slapped in the face.

Rebecca reported that she asked for a copy of the police report and his badge number, but Sgt. Arango screamed and told her she could call Internal Affairs. After more words were exchanged, Rebecca reported that Sgt. Arango got into his vehicle, sped off, then backed up,



rolled the window down, and began cursing at her; however, she could not make out the exact words. Rebecca reported that Sgt. Arango was aggressive, unprofessional, and rude.

A full copy of Rebecca Faitele's written complaint is included in the file.

BWC Review

BWC footage was pulled pertaining to this incident. It should be noted that Sgt. Arango and APO Reagin did not activate their BWC's during this incident. Corporal Lord's BWC was activated; however, it did not catch anything of significance. Corporal Lord and APO Reagin's focus was on the remaining occupants of the residence and for most of this encounter, they were inside of the apartment while Sgt. Arango and Cpl. Kang were outside with Darryl Faitele. There were six additional occupants inside of the apartment. There were no policy violations observed during a review of Corporal Lord's BWC.

Cpl. Kang's BWC was activated and captured most of the encounter as it pertained to Darryl Faitele. The following is a summary of the events noted from Cpl. Kang's BWC:

Upon BWC activation, the SIS Warrant Squad is checking a subject in a vehicle who they believed may have been Khalil Kelly, the wanted subject. The unit recognized it was not Khalil Kelly and began to walk back towards an apartment building. As they were walking towards the building, Sgt. Arango pointed toward the far-right apartment on the 2nd floor (2 story building). At the same time, Sgt. Arango said: "Right here, right here." As Sgt. Arango made this statement, a door can be heard closing.

Sgt. Arango got to the bottom of the stairs and said: "That's him right there." As Sgt. Arango climbed the stairs, he instructed his officers: "Come on, come on, he's upstairs." Upon reaching the door to the apartment (Apartment 530), Sgt. Arango turned his back to the door and kicked it open (there was no knock or attempt to open it via the door handle). Upon kicking the door open, Sgt. Arango turned back towards the door, pointed his rifle inside and said: "Give me your fucking hands." Sgt. Arango then said: "Out, out, Khalil out."

Darryl can be seen inside the apartment walking towards the doorway. Sgt. Arango took a step back, pointed towards the ground and said: "Lay down." Darryl continued to walk forward. As Darryl got into the doorway, his hands were down by his side, a set of car keys in his right hand, and he began crossing through the threshold. Meanwhile Sgt. Arango said: "Get on the ground." Cpl. Kang then grabbed Darryl by the front of his jacket and pulled him down to the ground, face first. As Darryl was pulled to the ground, APO Reagin can be seen standing in the doorway facing the remaining occupants inside the residence.

The occupants inside the apartment are heard screaming at which point Cpl. Kang said: "He's got warrants" (at this time, he was still believed to be Khalil Kelly). Cpl. Lord can be heard in



the background saying: "Put your hands behind your back, dude." Sgt. Arango then twice said: "Put your hands behind your back" and which point Darryl replied: "I can't dirty." Darryl's hands were placed behind his back and as Cpl. Kang is placing him in handcuffs, Darryl said: "I aint even mother fucking Khalil, bitch ass nigger." Somebody (unknown) then asked: "What's your name?" Darryl replied: "Man, fuck you nigger, you done busted ...(unintelligible)." Sgt. Arango then said: "That's Khalil" at which point Darryl replied: "I aint no mother fucking Khalil. My wallet's in my pocket, bitch."

Cpl. Kang rolled Darryl to his side and blood droplets and car keys are seen on the ground where he was laying. Darryl again stated: "I aint no Khalil, bitch ass nigger." Darryl, now in handcuffs, was stood up off the ground by Cpl. Kang, and Darryl stated: "I aint no Khalil, bitch ass nigger." Cpl. Kang then reached into Darryl's left front pocket as Sgt. Arango approached Darryl from his front side. Darryl said: "Man fuck you nigger." While Darryl made this statement, Sgt. Arango grabbed a hold of Darryl's t-shirt with one hand, pulled him forward, and then forcefully pulled him down, face first, while still handcuffed, into a chair, let go, and walked away. Screaming can then be heard coming from inside the apartment at which point Sgt. Arango said: "Shut up!"

Cpl. Kang lifted Darryl up and told him to take a seat while turning him around and placing him in a chair. Blood can be seen on Darryl's shirt. Cpl. Kang then looked at Darryl's identification, but did not make any mention that Darryl was not Khalil Kelly.

Darryl continued to yell obscenities towards the officers for a little over a minute. Sgt. Arango turned around towards Darryl and said: "Fuck you too, mother fucker" and turned back towards the door while Darryl continued his barrage of obscenities. Sgt. Arango told Darryl: "Stop crying dude, stop crying. Hey, stop crying bro. Hey, stop crying for me. Hey stop crying. Hey stop." Darryl then told Sgt. Arango: "Wipe my tears, bitch ass nigger." Sgt. Arango then reached over with his gloved, left hand and ran his hand across Darryl's face and turned back towards the door. Darryl continued his obscenities towards officers and Sgt. Arango said: "Hey, stop crying man."

Meanwhile, Cpl. Lord can be heard giving commands to the remaining occupants of the apartment and APO Reagin was in the doorway facing the occupants inside. Darryl continued his obscenities and then Cpl. Lord, APO Reagin, and Sgt. Arango cleared the apartment, not locating Khalil Kelly.

Noted: By this point, it is believed everybody is aware that Darryl Faitele is not Khalil Kelly.

While left outside with Darryl, Cpl. Kang said: "Listen man. You're the one trying to run back inside... You fucking slammed the door on us." Darryl then continued his obscenities at which point Cpl. Kang told him: "Stop crying. Can you stop crying?" Sgt. Arango then exited the



apartment and asked Darryl why he slammed the door. Darryl replied: "What the fuck you mean why I'm slamming the door, nigger. What the fuck you talking about. I see police, bitch ass nigger." Darryl then continued with the obscenities and that he was not Khalil Kelly in which Cpl. Kang told him: "You didn't fucking listen dude."

Darryl yelled at Cpl. Kang that he came to the door when they told him to, but they still grabbed him. Cpl. Kang then stepped away to call for EMS. While doing so, Darryl was still yelling and Sgt. Arango can be heard exchanging words with him, but this was not heard or intelligible in the video.

As Cpl. Kang began turning back towards Darryl, a loud "slapping" sound can be heard, followed by Sgt. Arango saying: "You spit on me again." Cpl. Kang turned around and Sgt. Arango was seen with both hands-on Darryl's shirt, Darryl was already out of the chair (later learned he fell out when he was slapped) while saying: "Come here. You spit on me again" and then threw Darryl on to the ground face first and went down with him. While on the ground Sgt. Arango said: "Spit on me again" over and over while holding Darryl's head down against the concrete.

Darryl then began yelling at Sgt. Arango: "You wanted to do that anyways." Darryl yelled that he already busted his chin and Sgt. Arango said: "Stop. Stop." Sgt. Arango then said: "He's spitting fucking blood." Sgt. Arango and Cpl. Kang then put his t-shirt over his face. Sgt. Arango then grabbed a nearby t-shirt and tried to tie it around Darryl's face. While doing so, Cpl. Kang asked Sgt. Arango: "How much blood's on my face?" Sgt. Arango replied: "A little bit" and went back to tying the shirt around Darryl's face. Darryl then said: "You're choking me" at which point Sgt. Arango replied: "No, you're not."

Darryl continued his obscenities and talked about how he busted his chin. Sgt. Arango then said: "Hey, be quiet man." Cpl. Kang then turned around to speak on the radio and when he turned back, Sgt. Arango had walked away from Darryl and Darryl is seen sitting himself up. Cpl. Kang turned back around, and Darryl can be heard saying: "You already slapped me." Darryl and Sgt. Arango are heard exchanging words, but they are intelligible.

After Cpl. Kang finished speaking on the radio, he turned back around where Sgt. Arango was again trying to tie the shirt around Darryl's face. Darryl was screaming obscenities at Cpl. Kang and he replied: "What did you say mother fucker?" Darryl continued his obscenities towards officers and said he came to the door (referring to when he was ordered to do so). After a few words, Cpl. Kang said: "You aint got shit to say."

Sgt. Arango addressed Darryl and told him: "You got hindering...Look, you see that right there. You spit blood on me." Darryl said he was not Khalil and asked: "I came to the door like you wanted to, right?" Sgt. Arango replied: "Nope." Darryl said he came to the door like he said,



and Sgt. Arango replied: "Shut him up." Cpl. Kang turned back towards Darryl and placed the shirt back over his face while Sgt. Arango adjusted it.

Darryl continued his barrage of obscenities towards officers and Sgt. Arango turned his face toward him and began to "fake cry" as if he was antagonizing Darryl. Sgt. Arango then said: "Keep crying dude."

Darryl told Sgt. Arango: "Suck my dick, nigger." Sgt. Arango then repeated: "I said keep crying.... (mumbled, possibly said "mother fucker"). Darryl then repeated "Suck my dick nigger, what the fuck you talking about?" Sgt. Arango then replied: "(Unintelligible)...that little baby dick. Keep crying." Darryl then said: "Yeah, suck my dick." Sgt. Arango then replied: "That little baby dick. Keep it up. Let's see it."

Sgt. Arango told Darryl: "You a little hoe man." Sgt. Arango told Darryl: "See who's bleeding and crying on the ground right now." Sgt. Arango then turned towards Darryl again and fake cried. Darryl and Sgt. Arango exchange words back and forth with Sgt. Arango asking multiple times: "Who spits?"

Darryl asked Sgt. Arango: "Who slaps a nigger in handcuffs?" Sgt. Arango replied: "I did." Darryl told Sgt. Arango: "I'll slap the shit out your daughter like that, fuck ass nigger." Sgt. Arango then talked with Darryl about his spitting and told him it was Aggravated Assault. Darryl told Sgt. Arango: "I don't want to hear that shit." Sgt. Arango then replied: "Well, I don't want to hear your shit.... This is a learning lesson for you."

Sgt. Arango told Darryl: "When somebody tells you to get on the ground, you got to get on the ground, dude." Sgt. Arango then said: "I don't know shit about you. We are here for some serious shit." Sgt. Arango asked: "Do I know if you got a gun? I don't know who got a gun in here." Darryl then asked: "I aint came to the door?" Sgt. Arango replied: "You didn't do what I told you to do."

Sgt. Arango asked Darryl where his hands were at. Darryl replied: "You see the keys in my hand." Sgt. Arango replied: "No. You can draw a weapon pretty fast. I got to take care of me and these kids."

Sgt. Arango can be heard in the background telling Darryl: "That's some hoe shit." Sgt. Arango told Darryl: "Once you spit, that gave me the right to do that." Sgt. Arango told Darryl: "You acting like a little girl right now."

Darryl called Sgt. Arango a bitch and he replied: "And you a bitch." Sgt. Arango further asked Darryl: "Who's the real bitch." Darryl told Sgt. Arango: "I'll slap the shit out your daughter, just like how you slapped me." Sgt. Arango replied: "No you won't.... I'll bring my daughter up



here and you wouldn't slap her." Sgt. Arango then told Darryl: "You're going to jail with Coronavirus."

After some back and forth, Sgt. Arango said: "Hey, guess what? This bitch manhandled you. Slapped you out the chair didn't it." Darryl replied: "You a fuck nigger." Sgt. Arango then said: "You a little bitch." Sgt. Arango asked Darryl: "Why you cry so much?" Additionally, Sgt. Arango asked Darryl: "Why don't you spit on me again? Why don't you spit on me again? Spit on me again. Spit on me again." Darryl asked Sgt. Arango: "What the fuck wrong with you?" Sgt. Arango replied: "You're a bitch."

Sgt. Arango told Darryl: "You're a cock sucker. You take it up the butt. You take it up the butt.... You're going to the right place. Them boys going to butt fuck you all kinds of ways."

Cpl. Kang walked downstairs for a brief period while he talked on the radio regarding a previous arrest. Darryl and Sgt. Arango continued to exchange words, but they are unintelligible. Cpl. Kang returns while still standing near the bottom of the stairs and advised Sgt. Arango that their prior arrestee claimed he was self quarantined, and the jail would not accept him. While speaking with Sgt. Arango, Darryl turned his head towards Cpl. Kang and said: "Shut your lame ass up." Cpl. Kang replied: "Hey. I aint even talking about you mother fucker." Cpl. Kang then sprinted up the stairs (in an attack mode) while saying: "Fucking bullshit faggot."

Cpl. Kang approached the top of the stairs and was met by APO Reagin who turned him around and sent him back down the stairs before he could go any further. Cpl. Kang then walked back downstairs and said: "Fucking pussy" towards Darryl. Darryl told Cpl. Kang: "I'm in handcuffs." Cpl. Kang replied: "Fine, we'll take those fucking cuffs off and I'll drop this shit."

Cpl. Kang then observed EMS pass by without seeing them and ran off to gain their attention. EMS then got to the apartment and Darryl was walked downstairs. Cpl. Kang handcuffed Darryl to the gurney and advised EMS he would follow them.

Cpl. Kang and Cpl. Lord's BWC are included in the file.

Use of Force Report

Sgt. Arango completed a Use of Force report in Blue Team. Cpl. Kang did not complete a Use of Force report when it was clear that force was used during this encounter.

Cpl. Brandon Lord Interview

On Wednesday April 29, 2020 at 12:34pm, I formally interviewed Cpl. Brandon Lord at the Internal Affairs Office. Cpl. Lord was provided a copy of his Garrity Warning and Notification



form which he advised he understood and signed. The following is summary of the interview. The full interview is available in the file.

Cpl. Lord stated that as part of the SIS Warrant Squad, they served warrants at requests or from a list. Due to COVID-19, Cpl. Lord advised they had been restricted to violent felonies to include domestic violence. Cpl. Lord stated on April 14, 2020, the SIS Warrant Squad went to 9400 Abercorn St because that was the address listed for a wanted subject named Khalil Kelly. Khalil Kelly was wanted for Aggravated Assault DVA.

Cpl. Lord stated the unit approached the apartment listed for Kelly, which was apartment 426. They were advised that Kelly had moved out of the apartment. Prior to their departure, management approached a team member and advised that Kelly had moved into apartment 530 at this location. Cpl. Lord stated he was walking to the apartment when APO Reagin advised to check a subject seated in the vehicle next to him. Contact was made with this subject, who they determined not to be Kelly. Cpl. Lord stated they then started moving toward the apartment (530).

Cpl. Lord stated as they were approaching, Sgt. Arango gave the command: "Khalil Kelly, stop!" Cpl. Lord stated he did not see anything based due to his position; he just heard the command. Cpl. Lord stated he then heard Sgt. Arango say he (the subject they believed to be Khalil Kelly) closed the door. Sgt. Arango further advised he was upstairs, so they went after him. Cpl. Lord stated he went up the stairs and was third or fourth in the stack. The door was breached by Sgt. Arango's foot and "they" made their initial command of "Khalil Kelly, come out." Cpl. Lord stated a subject (Darryl) started walking towards them.

Cpl. Lord stated once Darryl came out, they told him to get down, but he did not get down. Cpl. Lord was not sure how many times he was commanded but stated Darryl was told to come towards them and once he got to the door, he was told to lay down. Cpl. Lord stated that Darryl did not lie down as instructed. Cpl. Lord stated he did not know what Darryl said or the look on his face. Cpl. Lord stated Cpl. Kang and Sgt. Arango were first and second in the stack at that time and they (Cpl. Kang and Sgt. Arango) grabbed Darryl and put him down.

Cpl. Lord stated he did not see how they put Darryl down as he moved to cover them and address what was inside the apartment. Cpl. Lord stated he could hear more than one person still inside. Cpl. Lord stated he did advise Darryl to put his hands behind his back and stated others were saying this as well. Cpl. Lord reported that Darryl was on his stomach and his left hand was up under him, not giving it to officers. Cpl. Lord heard Darryl say: "I ain't Khalil Kelly, bitch ass nigger." Cpl. Lord stated when Darryl came to the door, he (Cpl. Lord) did not look at his face and think that he was not Khalil Kelly. Cpl. Lord further stated the commands were: "Khalil Kelly, come to me."



Cpl. Lord stated that according to Cpl. Kang and Sgt. Arango, Darryl was the same person who ran inside and came to the door when Khalil Kelly's name was called. Cpl. Lord further advised when he heard: "I ain't Khalil Kelly, bitch ass nigger," he realized he really needed to handle everybody else inside of the apartment.

Cpl. Lord stated he could hear that Darryl was still agitated and he was voicing his displeasures. Cpl. Lord stated he was concerned that Darryl would get those in the house riled up, so he kept his focus on those inside the residence. Cpl. Lord stated they cleared the apartment and realized Kelly was not there. Cpl. Lord stated after clearing the residence, his attention turned to obtaining information on Kelly, such as his location, from those inside the residence. Cpl. Lord stated that Darryl's girlfriend, Habeeb, was seated next to the window and could see what was going on outside on the porch. Cpl. Lord stated he did not pay attention to what was going on outside the window as he had a subject inside the residence being evasive.

Cpl. Lord stated he heard Darryl keep saying "bitch ass nigger" the entire time they were there. Cpl. Lord stated he did not know what the response was from other officers. Cpl. Lord advised APO Reagin was inside the apartment with him during this time. Cpl. Lord stated one subject inside the apartment asked if he was going to get his "racist partner." Cpl. Lord stated he did not know who he was referring to, but only Sgt. Arango and Cpl. Kang were outside. Cpl. Lord stated he told him he was going to handle "this" (referring to those inside the apartment), then he would go outside.

Cpl. Lord stated he wanted to move Habeeb away from the window to keep her from being disorderly. Cpl. Lord stated he still had not looked at the subject outside, but he (Darryl) was saying he was not Kelly and those inside the apartment were saying he was not Kelly. Cpl. Lord stated he determined everybody's relationship with Kelly and learned that Kelly had left early that morning.

Cpl. Lord stated he heard Darryl say: "You just busted up my chin, bitch ass nigger" multiple times.

Cpl. Lord stated he identified Khalil Kelly's brother and then Facetimed Kelly's mother. Cpl. Lord stated he walked outside and downstairs to speak with her. When he walked outside, Darryl was on the ground in front of the apartment window. Cpl. Lord stated Sgt. Arango and Cpl. Kang were next to him, but he did not pay them any attention.

Cpl. Lord stated after the conversation with Kelly's mother, he went back upstairs and gave the phone back to Khalil Kelly's brother. Cpl. Lord stated while he was downstairs on the telephone, Darryl was loud, and that Kelly's mother could hear him through the phone. Cpl. Lord stated he could not hear any back and forth and advised he was trying to block it out because that was not what he was dealing with. Cpl. Lord stated that APO Reagin stayed inside the apartment with the other occupants while he walked outside to speak on the phone.



Cpl. Lord stated while inside the apartment, he heard a commotion outside and heard the words: "He spit on me." Cpl. Lord advised that Habeeb then asked: "Why they doing that?" Cpl. Lord advised he was inside and would have to exit the apartment to see what was going on outside, which was not feasible for him to do at that time.

Cpl. Lord stated that EMS came to treat Darryl. Habeeb called Darryl's mom, Rebecca, who he spoke to briefly. Cpl. Lord stated she asked what happened, but ended the conversation quickly because she was driving. Cpl. Lord stated Rebecca showed up and said she needed his name and badge number. Cpl. Lord stated he wrote down his information as well as his chain of command and gave it to her.

Cpl. Lord stated he spoke with office personnel and advised them the door jamb needed to be fixed. After clearing from the apartment, Cpl. Lord stated he went back to the Warrant Squad office to deal with a previous arrestee. Cpl. Lord stated he did not go to the hospital.

Cpl. Lord confirmed his focus was inside the apartment and did not pay attention to what was going on outside. Cpl. Lord stated he did not hear Cpl. Kang or Sgt. Arango use vulgar language towards Darryl.

Cpl. Lord advised their unit had been together since June 2019. Since then, Cpl. Lord stated he had not seen anybody on their unit use excessive force. I asked if he had ever heard Cpl. Kang or Sgt. Arango antagonize an arrestee. Cpl. Lord stated he would not say he had seen them antagonize anybody, but they have cursed in the process of serving a warrant. Cpl. Lord clarified he had never heard them curse somebody out "just because." Cpl. Lord further advised they had told people to shut up plenty of times but had not seen anybody berate a person just because they arrested them.

Cpl. Lord stated he had seen Cpl. Kang lose his cool before. During this incident, he did see Cpl. Kang run up the steps, but did not know what led to it. Cpl. Lord stated he did not hear what he was saying as he was still dealing with the people inside the apartment. Cpl. Lord stated somebody stopped Cpl. Kang. I asked if he had ever heard Cpl. Kang say he would take his belt off and whip somebody's ass or something along those lines. Cpl. Lord stated he had never heard Cpl. Kang say that to an arrestee.

Cpl. Lord stated he did not talk about the incident afterward because he had to deal with a previous arrestee. When asked why he turned off his BWC early, Cpl. Lord stated it was because he was trying to obtain information and keep the source(s) of information confidential.

Cpl. Lord further advised that inside the residence at the door was a short barrel rifle BB gun with the orange cap taken off.

APO Ronald Reagin Interview



On Wednesday April 29, 2020 at 1:55pm, I formally interviewed APO Ronald Reagin at the Internal Affairs Office. APO Reagin was provided a copy of his Garrity Warning and Notification form which he advised he understood and signed. The following is summary of the interview. The full interview is available in the file.

APO Reagin stated the Warrant Squad focused on more violent felons. On this date, the unit was looking for Khalil Kelly and had information that he lived at 9400 Abercorn St. APO Reagin stated they went to the first apartment (426) but were told he no longer lived there. Contact was made with the property manager who gave them a different apartment number (530) in which Kelly resided.

APO Reagin advised the subject in the vehicle next to him resembled Kelly. They got out with him, but he was not Kelly. APO Reagin stated that either Sgt. Arango or Cpl. Kang noticed somebody come out on the balcony in front of the target apartment. APO Reagin advised one of them yelled at the subject (Darryl): "Police, stop" or something along those lines.

APO Reagin stated that Sgt. Arango and Cpl. Kang started running upstairs and Sgt. Arango said: "That's him." APO Reagin stated he got to the bottom of the stairs and heard a "bang" like somebody making entry into the apartment. APO Reagin stated while running upstairs, he heard Sgt. Arango say: "Khalil, come here" or something along that line. APO Reagin stated he got to the top of the stairs and Darryl was being brought out by Sgt. Arango who had a control arm on him. APO Reagin stated he pushed past to get in the doorway to stop any threats. When he got there, APO Reagin stated he was confronted by seven or eight individuals inside the apartment and held security on them.

APO Reagin stated his attention was inside the apartment rather than Darryl. APO Reagin stated Cpl. Lord came in behind him initially, but when he (APO Reagin) noticed an AR-15 (BB gun) next to the door, he removed it from the inside and Cpl. Lord pushed past him. APO Reagin stated Darryl had been moved to a chair by Sgt. Arango. APO Reagin did not recall seeing Darryl moved to the chair, he just knew he was in the chair.

APO Reagin stated while holding a position at the door, his attention was mostly inside. APO Reagin stated he could hear yelling from Darryl and Sgt. Arango and Cpl. Kang were telling him to shut up, but he didn't recall the actual words said other than that Darryl was yelling at them, and they (Sgt. Arango and Cpl. Kang would occasionally yell back). APO Reagin stated he did not recall Sgt. Arango or Cpl. Kang using derogatory terms towards Darryl.

APO Reagin stated he was inside the apartment when Darryl spit on Sgt. Arango. APO Reagin stated he heard a scuffle then heard somebody say, "he spit on me." APO Reagin stated he did not see the spitting or the confrontation. APO Reagin stated he recalled Cpl. Kang running up the stairs and he moved to block him. APO Reagin stated he blocked Cpl. Kang until he turned to go back down the stairs. APO Reagin stated Cpl. Kang had not done that before. APO Reagin



further advised he did not know what Cpl. Kang's intentions were, but he was not going to let him have that opportunity.

APO Reagin stated their unit was together as a CNT TAC Team before the Warrant Squad. I asked if he had ever seen Cpl. Kang or Sgt. Arango lose their professionalism to a point they were antagonizing arrestees. APO Reagin said: "Yes." APO Reagin stated he had seen them talk back to arrestees when they should not. APO Reagin gave an example of hearing somebody saying, "fuck you," he has heard at least Sgt. Arango say "fuck you" back.

APO Reagin stated he did not hear them antagonizing Darryl during this incident, but also advised he did not hear well when a lot was going on. APO Reagin stated he had not seen Sgt. Arango or Cpl. Kang use excessive force previously.

APO Reagin stated he went to the hospital with Darryl and Cpl. Kang. APO Reagin stated that Sgt. Arango came towards the end. APO Reagin stated he was present when Sgt. Arango spoke to Rebecca. APO Reagin stated that Rebecca had said she was going to file a complaint in which Sgt. Arango told her to go ahead. I asked if any derogatory terms were used towards Rebecca or if there was any unprofessional conduct on the part of Sgt. Arango towards her. APO Reagin state he did not understand how that was for him to say as he is (Sgt. Arango) is a Sgt. And he was an APO as to what he should say and what he should not. I asked if him being a professional in the police department, would he say that the words used by Sgt. Arango towards Rebecca were acting professionally. APO Reagin stated: "I would not have said what he said." APO Reagin stated he did not recall exact words, but recalled thinking, he should not be saying that. APO Reagin stated Sgt. Arango was reacting towards Rebecca being demeaning towards him.

APO Reagin stated that Sgt. Arango let Rebecca get under his skin and reacted by saying some things he (APO Reagin) would not have said.

APO Reagin stated he did not notify his Lt. because Sgt. Arango called Lt. Toth, told him what happened, and told him that it was going to look bad. APO Reagin stated he accidentally left his BWC on all weekend and did not realize until they got out there that it was dead. APO Reagin further advised he told Sgt. Arango about the issue. APO Reagin stated he tried to activate his BWC on every call, but he sometimes forgot and admittedly was not very good on that policy.

Cpl. Daniel Kang Interview

On Friday May 1, 2020 at 8:26am, I formally interviewed Cpl. Daniel Kang at the Internal Affairs Office. Cpl. Kang was provided a copy of his Garrity Warning and Notification form which he advised he understood and signed. The following is summary of the interview. The full interview is available in the file.



Cpl. Kang stated as part of the SIS Warrant Squad they served warrants, particularly violent felony warrants. Cpl. Kang advised they had information that an individual, Khalil Kelly, with Aggravated Assault DVA warrants lived at 9400 Abercorn St. Cpl. Kang stated they believed he lived in apartment 426, but Kelly was not there. Cpl. Kang stated as they were leaving, the property manager advised Kelly had moved to apartment 530.

Cpl. Kang stated as they got out to go to the apartment, they believed somebody in a car matched Kelly's description. They contacted this subject and realized it was not him. Cpl. Kang stated as they approached, he saw somebody (Darryl) look out, then close the door. Cpl. Kang stated it looked like he was fleeing into the apartment. Cpl. Kang stated to him, it looked like Darryl opened the door, saw them, announcements were made, and then he closed the door. I asked what announcements were made in which Cpl. Kang stated: "I want to say police." I asked if he made that announcement in which he stated he did not and believed it was Sgt. Arango.

Cpl. Kang stated they "hot pursued" after Darryl closed the door and believed Darryl to be the individual they were looking for. Cpl. Kang stated that Sgt. Arango manually breached the door and they started calling people out. Cpl. Kang stated Darryl, who they believed to be the one with warrants, came out. Cpl. Kang stated he believed he was the one with warrants based on the physical description, actions beforehand, and when he was addressed by the wanted subject's name, he responded by coming to the door and approaching them.

Cpl. Kang stated once in arm's length, he grabbed Darryl to pull him down to the ground. Cpl. Kang stated he grabbed Darryl by the upper body, stepped back, and put Darryl's center of weight past his feet. Cpl. Kang reported when Darryl hit the ground, he started trying to control his arms to keep Darryl from reaching and to put handcuffs on him. Cpl. Kang stated that Darryl hit the ground with his hands, but found out later that he busted his jaw. Cpl. Kang stated Darryl went to the ground face first.

Cpl. Kang stated he began working to handcuff Darryl, but it took a bit of effort. Cpl. Kang stated he was trying to pull his arms out and he felt tension like Darryl was his arm underneath himself. Cpl. Kang stated prior to grabbing Darryl, he did not make any commands to "turn around, give me your hands, you're under arrest," or anything along those lines. Cpl. Kang stated the reason for not giving the commands was because he wanted to clear the door because he did not know what else was inside and due to the behavior Darryl had previously exhibited.

Cpl. Kang stated Darryl had said he was not who they were looking for and then his tyrant began. Cpl. Kang stated once he was handcuffed and sat, and the other team was working, he went through Darryl's wallet and got his identification. I asked if he told anybody it was the wrong person in which Cpl. Kang replied: "I might've. I don't recall." I asked if there was any reason he would not have relayed it was the wrong person. Cpl. Kang replied: "I don't know."



I asked what happened after he stood Darryl up off the ground. Cpl. Kang replied: "I placed him in a chair." I asked did he place him in a chair or was he slung into a chair. Cpl. Kang stated: "I don't know. I might've pushed him into a chair." I asked why he would have pushed him into a chair. Cpl. Kang stated: "To make sure he is seated." I asked if anybody helped him put Darryl in a chair. Cpl. Kang replied: "I'm not sure." I showed Cpl. Kang a video clip of Darryl being slung into the chair by Sgt. Arango. I asked if after watching, did he place him in a chair. Cpl. Kang said: "I was part of it, yes."

I asked what actually happened. Cpl. Kang stated he was holding Darryl under his arm (demonstrated escort hold), was checking his pockets, and Darryl was pulling back and forth. Cpl. Kang stated both he and Sgt. Arango "placed" him into the chair with some force. I asked if they placed him in a chair or if they slung him into a chair as he went face first. Cpl. Kang stated: "He fell, we pushed him." I asked if he pushed him or did Sgt. Arango pull him away. Cpl. Kang stated: I think Sgt. Arango pushed him."

I asked if Darryl was offering any resistance at that point or were they just trying to get him to the chair. Cpl. Kang stated: "He was pulling back and forth a little bit." I asked Cpl. Kang to describe those actions. Cpl. Kang stated he used a thumbless grip so if people try to pull away from him, he can pull them back. Cpl. Kang stated he felt the pressure of his arm getting moved. I asked if Darryl was trying to get away or was he upset and moving around. Cpl. Kang stated: "I don't know what his intentions were."

Cpl. Kang stated after he identified Darryl, he stood there monitoring him while the apartment was cleared. Cpl. Kang stated Darryl was calling them "bitch ass niggers" repeatedly. I asked how they responded in which he replied: "I try to ignore him." I asked if he was successful in which Cpl. Kang replied: "For some time." Cpl. Kang stated he lost his temper after he was dealing with other stuff from a previous arrest.

I asked Cpl. Kang if he exchanged words with Darryl while on the balcony. Cpl. Kang stated: "I try to keep my mouth shut." Cpl. Kang further advised he did not recall what he said to Darryl. I asked Cpl. Kang if he recalled cursing at Darryl or antagonizing him. Cpl. Kang stated he probably cursed at him, but did not recall what he said.

I asked what he could hear when he turned away to call for EMS. Cpl. Kang stated he heard lots of "shit" talking between Darryl and Sgt. Arango. Cpl. Kang stated Sgt. Arango had told Darryl to stop crying and be a man. I asked if it was antagonizing towards Darryl in which Cpl. Kang stated he did not know because he believed Darryl would have kept going. I asked Cpl. Kang if he were in Darryl's situation, if it would be antagonizing towards him. Cpl. Kang stated: "Yeah, I can see that as being antagonizing."

Cpl. Kang stated he heard Darryl tell Sgt. Arango to wipe his tears which Sgt. Arango did. Cpl. Kang stated that was not normal. I asked if that was Sgt. Arango being generous and nice or was



it him being antagonizing. Cpl. Kang stated he would say it was not being generous and kind. Cpl. Kang stated in hindsight, it was not professional.

Cpl. Kang stated his unit had been dealing with things over the past year and how they have been treated. Cpl. Kang stated nothing had been addressed with issues going on within the unit. I asked if the issues within his unit had built up tension to where it affected how they dealt with citizens, suspects, and arrestees. Cpl. Kang stated it had affected him and he had sought counseling through EAP. I asked if he was still going to counseling which he advised he was. Cpl. Kang stated things were harder for him to deal with than it was for others. Cpl. Kang stated he felt like his ability to cope was getting less and less. I asked when he sought counseling in which he replied after being placed on Administrative Leave for this incident.

I asked Cpl. Kang how Darryl ended up on the ground after he had called for EMS. Cpl. Kang stated Darryl spit on Sgt. Arango, but he did not see it. Cpl. Kang stated that Sgt. Arango said that Darryl spit on him and he helped put a shirt over him, so he would stop spitting. I asked if he saw how Darryl got on the ground. Cpl. Kang stated he saw a little bit as he heard the noise. Cpl. Kang stated the noise was that of a chair tipping a scraping. Cpl. Kang stated he turned around and Darryl was on the ground with Sgt. Arango above him. Cpl. Kang stated he was getting a shirt to cover his face.

I asked Cpl. Kang why he told Darryl to stop crying. Cpl. Kang stated he was losing his patience. I asked about his statement towards Darryl: "You didn't fucking listen, dude." I asked what Darryl did not listen to. Cpl. Kang replied: "Police, stop." I asked if he said, "Police, stop." Cpl. Kang replied: "No." I asked if he heard anybody say: "Police, stop." Cpl. Kang replied: "I don't recall." Cpl. Kang stated they typically say "Police, stop," but he also wanted him to stop talking.

Cpl. Kang stated he did not hear a loud slapping sound (after Darryl reportedly spit on Sgt. Arango). I asked if Sgt. Arango told him he slapped Darryl. Cpl. Kang stated Sgt. Arango told him he pushed/mushed him. I asked if Sgt. Arango was laughing about it in which he replied he was not.

I asked if he had seen this kind of behavior from Sgt. Arango before. Cpl. Kang stated: "No." I asked if he had ever seen Sgt. Arango antagonize anybody to the point they are jaw jacking back and forth. Cpl. Kang stated: "Not like this." I asked what he had seen, but he advised he could not tell me a specific incident, just they all jaw jack every now and then. I asked what he (Cpl. Kang) says when jaw jacking. Cpl. Kang stated he did not say much. I asked again in which Cpl. Kang stated he will tell people to "shut the fuck up." I asked if that was professional in which he replied it was not.

Cpl. Kang stated the jaw jacking between Darryl and Sgt. Arango was not professional. I asked him why he said to Darryl: "What did you say mother fucker?" Cpl. Kang stated there was not a



reason for saying that. Cpl. Kang stated he was pissed off because he was dealing with other stuff pertaining to the previous arrest in which the arrestee got to the jail and said he had been self quarantined, and the jail would not accept him.

Cpl. Kang stated that Sgt. Arango fake crying was not professional either and he had not seen him do this before. I asked about Sgt. Arango's statement: "That little baby dick. Keep it up. Let's see it." I asked if he overheard Sgt. Arango use that kind of language before. Cpl. Kang said: "No." I told Cpl. Kang I had a hard time believing this was the first time Sgt. Arango had used words like these thus far. I told Cpl. Kang if I went back and pulled BWC from previous arrests, I was sure I would hear that language. I asked again if he had heard Sgt. Arango speak like this to others. Cpl. Kang said: "Yes." I asked how often. Cpl. Kang stated he did not know the frequency, but "sometimes."

Cpl. Kang stated he had not seen Sgt. Arango use excessive force and did not believe this incident qualified as being considered excessive. Cpl. Kang agreed Darryl was thrown face-first into the chair with his hands behind his back. I asked Cpl. Kang what Darryl could have done. Cpl. Kang stated Darryl could have done quite a bit and even while handcuffed he could do a lot to a tactical formation by pushing back into it.

Cpl. Kang stated he did not remember a particular incident when Sgt. Arango used this type of language. I asked if he had heard Sgt. Arango use language such as: "You're a cock sucker. You take it up the butt. You take it up the butt.... You're going to the right place. Them boys going to butt fuck you all kinds of ways." Cpl. Kang stated they would say stuff like that talking amongst each other, but did not recall Sgt. Arango saying that to a suspect or arrestee. Cpl. Kang stated Sgt. Arango had used "choice" words, but not those kinds of words.

Cpl. Kang stated he did not remember what Darryl said to set him off when he was on the lower level. Cpl. Kang stated he lost his temper, postured like he was going to fight him, and that he was going to take off his stuff to fight. Cpl. Kang stated he was sure he called Darryl and "mother fucker" a few times. Cpl. Kang stated he sprinted up the stairs. I asked what he was going to do when he got up there. Cpl. Kang stated he was going to get in Darryl's face, but he was not going to hit him.

I asked Cpl. Kang what he was going to say, but he did not know. I asked if he wanted to hit Darryl. Cpl. Kang said: Yes, but I knew that wouldn't be appropriate." I asked if thought APO Reagin stopped him from doing something he should not. Cpl. Kang advised he would have stopped from hitting Darryl.

I told Cpl. Kang he ran up the stairs and said: "Fucking bullshit faggot," then went down the stairs and called Darryl a "fucking pussy." I asked Cpl. Kang how many times he had said that to people before. Cpl. Kang replied: "Several." I asked why in which Cpl. Kang replied: "I



don't know." Cpl. Kang admitted it was not professional and that sometimes he jaw jacked back and forth and other times he just took it.

I asked Cpl. Kang if he's ever tried to work on not saying "fuck" as much. Cpl. Kang stated he had not. I asked if he thought it was something he should work on in which he stated it was. Cpl. Kang stated this was the first time he had ever told an arrestee: "Take those fucking cuffs off and I'll drop this shit."

Cpl. Kang stated he went to the hospital with Darryl and remembered Rebecca arriving, but stated he was leaving as she approached. Cpl. Kang stated he did not hear any of the conversations and afterward, Sgt. Arango only said she came and tried to start trouble.

We spoke further about Darryl being slung into the chair. Cpl. Kang stated Sgt. Arango pushed Darryl while he tried to maintain control. Cpl. Kang stated Darryl was pulling back and forth, but he felt like he had control of Darryl.

I asked if he should have done a Use of Force for this incident. Cpl. Kang stated he did not know when the last time he did a use of force for pulling somebody to the ground. I asked if there was any reason he did not do one for this incident. Cpl. Kang stated there were lots of times he pulled people to the ground and had not done one for it. Cpl. Kang stated he was not instructed to do one or not to do one for this incident. I asked why he left out his own particular actions such as cursing and wanting to fight Darryl in his report. Cpl. Kang stated he did not think it was relevant. Cpl. Kang stated he knew that was not how to act.

I asked what kind of stuff was going on within the unit which he previously alluded to causing stress. Cpl. Kang stated it was issues such as manpower, equipment, and the way their unit came to be after being moved from CNT. Cpl. Kang stated they were lied to about the reasons why they were moved and there was a lack of communication. Cpl. Kang stated the issues caused more stress for him and combined with other things such as the CCDC issue on this date, led to everything boiling over.

I asked when he pulled out Darryl's identification, why he did not tell anybody it was the wrong person. Cpl. Kang stated it was because they were busy with the task at hand. I asked why he did not take Darryl out of handcuffs. Cpl. Kang stated he was waiting to sort things out and for the others to deal with whatever tactical situation they had inside. I advised Cpl. Kang that took a minute and asked why Darryl was still in handcuffs. Cpl. Kang provided no answer. I asked why for over thirty minutes was Darryl in handcuffs when he was not the person they were looking for. Cpl. Kang provided no answer.

I asked Cpl. Kang what Darryl was being arrested for. Cpl. Kang said: "Obstruction." I asked how. Cpl. Kang stated it was the way Darryl opened the door and fled back into the house. I asked if it was a requirement to speak to the police. Cpl. Kang stated they had ARS that was the



person they were looking for. I told Cpl. Kang it was not the guy there were looking for and asked again why he was not out of handcuffs and why he did not tell everybody else it was the wrong person. I additionally asked why he did not apologize and make amends. I then asked why instead, Darryl was kept in handcuffs and antagonized. Cpl. Kang stated: "I don't know."

I asked Cpl. Kang who made matters worse, Darryl or the officers. Cpl. Kang stated he knew his actions did not help. I asked if the actions of the rest of his team helped. Cpl. Kang stated APO Reagin and Cpl. Lord had nothing to do with it. I asked again what Darryl's charge was. Cpl. Kang stated obstructed and they would get warrants later. I asked what he obstructed in which Cpl. Kang replied: "The investigation." I asked how. Cpl. Kang stated by fleeing inside when he could have said: "Here's my ID." I asked Cpl. Kang if he said: "Police, stop." Cpl. Kang stated he did not. I asked if he heard: "Police, stop." Cpl. Kang stated he did not recall. I asked if he thought an obstruction charge would stick in court. Cpl. Kang said: "No."

I asked Cpl. Kang if this was the norm for his unit. Cpl. Kang stated: "No." Cpl. Kang stated he had never taken it upon himself to tell Sgt. Arango his actions were "not cool." I asked if this was because he acted the same way in which he stated: "Yes, I've done it." Cpl. Kang stated he's been told to cool it down before, but had not listened to that advice. Cpl. Kang stated he had never reported erratic behavior to the Lt. or above, but did not have a reason why.

Based on Cpl. Kang's previous statement in which he stated he originally could not think of a particular situation in which Sgt. Arango has acted in this particular way and then later said he had, I asked what specific incident. Cpl. Kang stated he could not think of one. I confronted Cpl. Kang that he originally said no because he could not think of anything, but when I asked a second time, he said he could. Cpl. Kang continued he could not think of a situation.

Sgt. Octavio Arango Interview

On Wednesday May 27, 2020 at 1:57pm, Lt. Barefield and I formally interviewed Sgt. Octavio Arango at the Internal Affairs Office. Sgt. Arango was provided a copy of his Garrity Warning and Notification form which he advised he understood and signed. The following is summary of the interview. The full interview is available in the file.

Sgt. Arango stated he was assigned to the Special Investigations Section – Warrant Squad which was tasked with going after primarily violent felons. On the date of this incident, Sgt. Arango stated his unit was serving a warrant at 9400 Abercorn St and the target was Khalil Kelly. Sgt. Arango stated this was the third operation of the day. Sgt. Arango further advised they had issues with a female being deceptive during their first operation and during their second operation had issues with the arrestee, Michael Fowler. Sgt. Arango stated Fowler gave them issues at the house, it was a busy day, they had problems getting a transport unit, and they were already amped up.



After the arrest of Fowler, Cpl. Lord advised he had a good lead on Khalil Kelly at 9400 Abercorn St. Since the unit was already close by, Sgt. Arango stated they attempted to serve the warrant on Kelly. Sgt. Arango stated their unit went to a vacant apartment first, based on intel it was Kelly's residence. As they were leaving, APO Reagin was flagged down and was told Khalil Kelly had moved to Apartment 530.

Sgt. Arango stated he identified Apartment 530 and began approaching when APO Reagin called out a male inside a vehicle who he believed was Khalil Kelly. Sgt. Arango stated he went towards Reagin, but the male was not Kelly. Sgt. Arango stated he moved back towards the apartment and as he was approaching, the door to the apartment opened and a male, who resembled Khalil Kelly, exited with a female behind him. Sgt. Arango stated the male (Darryl) looked just like Kelly and in his mind, it was Kelly.

Sgt. Arango stated he could not remember what he said to Darryl, but Darryl looked at him (wearing a vest, carrying a rifle, and had the word "police" showing), saw the entire team, went back inside, and slammed the door. Sgt. Arango stated at this time, he was pretty sure it was Khalil Kelly. Sgt. Arango stated they had first party at the house, so they had an exception for a warrantless entry to look for Kelly. Sgt. Arango stated he breached the door and tried to get a hold of the threshold. Sgt. Arango stated he started calling "Khalil" to the male (Darryl) he identified as being at the door. Sgt. Arango stated Darryl answered to "Khalil" and started walking towards him.

Sgt. Arango stated he remembered five other people in the house at that time in the living room. Sgt. Arango said he wanted to get Darryl out of the threshold and did not want him in the way if occupants started firing or they had to fire. Sgt. Arango stated the best place for Darryl was to put him down and they were on a cramped balcony. Sgt. Arango stated that Darryl went to the ground and he placed his knee on his shoulders as he was being handcuffed. Sgt. Arango stated at some point in that area, Darryl hit his chin on the ground.

Sgt. Arango stated that prior to entry, in his mind, the male (Darryl) that he saw was Khalil Kelly, that was the house Kelly was registered to, and at that point, they could enter the residence. Sgt. Arango also stated they were in "hot pursuit" at that moment. Sgt. Arango stated he could not recall exactly what he said when he breached the door, but called the name "Khalil" as he believed he was Khalil Kelly. Sgt. Arango stated he believed that Darryl was Khalil Kelly until he saw his identification.

Sgt. Arango stated all they had to go on was a small picture and that Kelly and Darryl looked similar in stature, height, and skin complexion. Sgt. Arango stated after Darryl was handcuffed, at some point, he started moving back towards the door. Sgt. Arango described it as being very cramped and Darryl had to be pushed back. Sgt. Arango stated Darryl tripped over a chair and Cpl. Kang was able to grab him and put him back down. Sgt. Arango stated Cpl. Kang kept watch on Darryl while he and the rest of the team cleared the residence.



Sgt. Arango stated they were outnumbered and did not have enough to hold a position, hold a perimeter, watch Darryl, and clear the house which added to their hectic situation.

Sgt. Arango stated at the threshold when he said "Khalil, Khalil, come here," Darryl started walking towards him. Darryl did not say that he was not Khalil Kelly until he was already on the ground. Sgt. Arango stated he believed that he did not see Darryl's identification until after they cleared the house. I asked why they cleared the house if they believed they had Kelly outside. Sgt. Arango stated it was because Darryl was saying he was not Khalil Kelly, he never confirmed it was him, and they had people to deal with inside the house. Sgt. Arango stated if they were going to be on the porch, they had to make sure the house was clear of any threats.

After clearing the house, Sgt. Arango stated he and Cpl. Kang were outside with Darryl and this was after they had realized Kelly was not there. Sgt. Arango stated at this point, in his mind, he had probable cause to arrest Darryl for "Obstruction by Hindering." Sgt. Arango stated in his mind, Darryl knew Khalil Kelly was wanted, was living with him, and his actions was enough to warrant an arrest for obstruction by hindering. I asked how Darryl hindered. Sgt. Arango stated it was by keeping them from going into the house. I asked him to elaborate in which he stated Darryl saw them, recognized they were police, knew there were there for "something," they saw him, and he went inside and shut the door. Sgt. Arango agreed people do not have to talk to the police and can walk away. I asked again what exactly he hindered. Sgt. Arango stated in his mind, Darryl hindered him from going in the house when he was there for a reason and that was something for a court to decide. Sgt. Arango stated that was the reason Darryl was still in handcuffs after realizing he was not Khalil Kelly.

Sgt. Arango stated even if he had decided not to arrest Darryl, Darryl was still hostile, things got out of hand, they were outnumbered, and with the way he was behaving would have been left in handcuffs. I asked if Darryl had been behaving in a way where he was not cursing and using obscenities, would he still have arrested him for obstruction by hindering or was he (Sgt. Arango) already amped up and pissed off. Sgt. Arango said it was hard to say that in retrospect, but at the time he was going to jail for obstruction.

I asked what went on while they were outside. Sgt. Arango stated he got "goated" into stooping down to his (Darryl's) level. Sgt. Arango stated he let the stress get the best of him and they had a cursing match back and forth. Sgt. Arango stated it was hard to remember exactly what he said as it was seven weeks ago. Sgt. Arango said a lot of the things he said, he should not have said.

Sgt. Arango stated that during the exchange with Darryl, Darryl spit on him which hit his optic, legs, and shoulder. Sgt. Arango advised there was blood in Darryl's mouth and he instinctively "stiff-armed" Darryl out of the chair, put him on the ground, and held his mouth closed until he found something to wrap around him. Sgt. Arango stated after that, he (Sgt. Arango) was "red-lined" and there was more cursing that never ended.



Sgt. Arango stated he believed he showed restraint as far as getting Darryl under control considering the lack of training they have for being spit on, the presence of COVID, and not knowing if Darryl had Aides or Hepatitis. Sgt. Arango also stated they did not have shield to put around anybody's face.

Sgt. Arango said Cpl. Kang was dealing with another situation during the call in which the jail refused to accept Michael Fowler as he claimed he had COVID. Sgt. Arango stated they were dealing with that situation, their current situation, and the stress they deal with daily. Sgt. Arango stated he wished he could more into their mental state during the time.

Sgt. Arango stated this situation was an anomaly and he had never acted that way in the past. Sgt. Arango stated he had reached a boiling point on the things they were dealing with. Sgt. Arango stated the job was stressful enough, but he can deal with it. Sgt. Arango advised it was outside factors they were dealing with causing the stress. Sgt. Arango mentioned COVID going around and they were still expected to go out, find these guys, and put up numbers. Sgt. Arango stated they had been asking since the inception of the unit for equipment and personnel. Sgt. Arango described the unit as being grossly undermanned and he cannot supervise because he must operate as one of the unit. Sgt. Arango stated this was causing more stress on him because he cannot do what needs to be done and superiors were not listening. Sgt. Arango stated they had an HR complaint against the Chief which was also causing stress.

Sgt. Arango stated when it was all said and done, their unit had a talk about everything that had occurred that day. Sgt. Arango stated he told them they needed a "mental health break" the next day. Sgt. Arango stated the next day, they went to the range and took the remainder of the day off.

Sgt. Arango stated the Warrant Squad consisted of four officers including himself. Sgt. Arango stated he supervised Cpl. Lord, Cpl. Kang, and APO Reagin. Sgt. Arango said the unit was formed in June 2019 and they were never given accurate information from the city or county after being "political sacrifices" as a result of the demerger. Sgt. Arango stated the unit created their own General Order and TTP, but it had never been approved. Sgt. Arango further advised they had been out there with no backing and it had been hard. Sgt. Arango stated this situation (with Darryl) manifested from that.

I asked about his statement to Darryl in which he told him that he "slapped" him out the chair. I asked if he slapped or stiff armed him. Sgt. Arango stated it was an open handed "push slap." Sgt. Arango stated that Darryl had said he slapped him, so he called it a slap. Sgt. Arango stated it was definitely a football, straight arm, stiff arm. Sgt. Arango stated he wanted to get Darryl's face away from his and it looked like he was getting ready to spit again. Sgt. Arango stated it was infuriating and scary at the time. Sgt. Arango stated he was shocked and did not know how else he would have handled that situation.



I showed Sgt. Arango a portion of the BWC in which Darryl fell face first into the chair. Sgt. Arango stated Darryl was pushing towards the door and he had to push him off and get him out of the doorway. Sgt. Arango stated it looked violent, but it was not meant to hurt Darryl, rather to get him out of the doorway. Sgt. Arango stated he probably should have done it differently, but nothing he did physically was done with the intent to hurt Darryl.

Sgt. Arango stated he went to the hospital and told Darryl he would be released and warrants would be taken out later. Sgt. Arango stated he had no further exchanges of words with Darryl. Sgt. Arango stated he did not remember anything pertinent about his exchange with Darryl's mother, Rebecca, other than her asking about him slapping Darryl. Sgt. Arango stated he knew nothing would come of the exchange. Sgt. Arango did not recall anything he said to Rebecca as being crazy. Sgt. Arango stated in his mind, Darryl was an adult, he did not need to talk to her, and he was not in the right mind to talk to her. Sgt. Arango stated he never cursed at Rebecca and told her she could go talk to IA. Sgt. Arango admitted he was probably abrasive with her.

Sgt. Arango stated he had never seen Cpl. Kang lose his cool like he did during this situation. Sgt. Arango described a previous instance with Cpl. Kang which required him to write him up. Sgt. Arango stated after a SWAT call involving a subject with PTSD, talking about killing himself, and having a gun in his mouth, Cpl. Kang made the remark that he should have killed himself. Sgt. Arango stated the statement was overheard by Cpl. Repress who was friends with the suicidal subject. This led to cursing between the two and they were getting ready to go outside and fight until they were broken up. Sgt. Arango stated he talked to Cpl. Kang about letting his emotions and stress get to him and that he could not say things like that. Sgt. Arango further advised he go Cpl. Kang EAP help.

Sgt. Arango stated that regarding this instance involving Darryl, he did not address Cpl. Kang's actions. Sgt. Arango stated he spoke to the unit the next day about the fact that things should have been done differently. Sgt. Arango stated there was no discipline because he could not discipline when he did things himself that he was not proud of.

Sgt. Arango stated his BWC was not activated and was unsure why. Sgt. Arango stated he may have turned it off when speaking to the maintenance man about Khalil Kelly. I asked why Cpl. Kang did not complete a Use of Force. Sgt. Arango stated there was no set standard with their unit as to when it pertains to a use of force. Sgt. Arango stated he did not know if their unit was more geared towards a SWAT style use of force or a patrol style. Sgt. Arango stated on SWAT, Cpl. Kang would not have done a Use of Force report.

I asked what he thought Cpl. Kang would have done if APO Reagin had not stopped him when he ran up the stairs. Sgt. Arango stated Cpl. Kang would have cursed Darryl out. Sgt. Arango stated he talked to Cpl. Kang afterwards and told Cpl. Kang that he, himself, did things he should



not have done, and that Cpl. Kang could not lose his cool like that. Sgt. Arango said after cooling off, they both realized things could not happen like that.

Sgt. Arango compared their operations to the RPM on an engine in which he said they are going to go "red-line." Sgt. Arango stated that rather than calming back down, he stayed in the "red-line" during this incident and hoped he could learn from it.

Sgt. Arango stated he was not shown Darryl's identification until he came out of the house from clearing it. Sgt. Arango stated Darryl knew they were looking for Kelly as he said he was not Kelly several times. Sgt. Arango was asked if anything could have been done to deescalate the situation and why didn't anything happen. Sgt. Arango stated in retrospect, he could have reached out to other units to assist. Sgt. Arango stated the main issue was because of bodies and they were too sucked in with not enough people. Sgt. Arango stated he had been dealing with too many things and he was unable to separate himself as a supervisor. Sgt. Arango stated if the unit had bodies, he would not have been involved and been able to step back and make sound decisions. Sgt. Arango stated at that point it was going to be hostile either way so he wasn't going to take Darryl out of handcuffs and once he tried to talk to Darryl, Darryl still cursed him out and added fuel to the fire.

Sgt. Arango stated he did not do BWC inspections because he was always on scene with his unit. Sgt. Arango stated APO Reagin told him earlier that day his BWC was dead. Sgt. Arango stated the BWC was still foreign to him.

Sgt. Arango was asked if his actions and behavior left an impression on his unit. Sgt. Arango stated that part of the problem they were having was by him having to be an operator rather than a supervisor. Sgt. Arango stated he was having trouble doing supervisor type things and it was causing problems and mistakes. Sgt. Arango stated his behavior was unacceptable as far as the cursing and his actions could influence others on his team. Sgt. Arango stated his actions possibly had an influence over Cpl. Kang and his actions.

Sgt. Arango stated as a unit, they wrote a General Order on how they want to operate and the things they needed to make the unit successful. Sgt. Arango stated the unit was originally sent to Central Precinct under the command of Capt. Herron and Lt. Mitchell. Sgt. Arango stated there was still a debate on whether they were uniformed, plain clothes, and what their operation would be. Sgt. Arango stated things started changing with no explanation as to why. Sgt. Arango stated the General Order was sent up to AC Price through Capt. Herron, but nothing ever came of it. Sgt. Arango stated changes were made to the General Order after reaching Robert Edenfield, but they had not heard anything else. Sgt. Arango also stated the General Order was sent to Major Adams and AC Gunther, but they had not received any feedback.

Sgt. Arango referred to the Warrant Squad as a quasi-SWAT team and stated he tried to explain that to get more personnel. Sgt. Arango stated they were put in marked units, but went on their



own to get unmarked units from the vehicle coordinator. Sgt. Arango stated Lt. Mitchell and Capt. Herron were their supervisors at that point, but later they got order to go to SIS under Lt. Garvin. Sgt. Arango stated they were never given an office and were provided one in Eastside after asking Capt. Gundich. Sgt. Arango stated they were told the unit needed to be more centralized and were moved out of Eastside. Sgt. Arango stated his unit asked Captain Hill for an office in which he gave them an office in Northwest. Sgt. Arango stated the unit was unable to get computers and were given MDT's without MobileCom which prohibited them from running people's information. Sgt. Arango stated they did not have actual undercover vehicles and needed two more people to be effective. Sgt. Arango stated the needs had been discussed in an open forum with the chiefs present and that things had been getting dangerous.

Regarding the situation with Darryl, Sgt. Arango stated if they had better surveillance vehicles other than government vehicles (Fusions), they may have slowed it down a little bit and set up surveillance to get their target (Kelly) away from the apartment; however, too many times there were having to rush because they would get called out. Sgt. Arango stated with being short on personnel, they had to try to avoid tactical disadvantages such as going to somebody's house and a surveillance vehicle could have been used in the parking lot. Sgt. Arango stated they did not have the right things and they got sucked in.

Sgt. Arango stated they could ask other units in the Special Investigations Section for assistance, but the problem was that they had their own job to do and would be taking away from them. Sgt. Arango stated their hours are also sometimes different and they had the same stressors as his unit such as needing results leading to it being had to borrow from them.

Sgt. Arango stated his unit typically briefed in the morning or the night before. They would have a pamphlet with operation names, wanted subject pictures, addresses, vehicles, and associates they would go over. On this date, Khalil Kelly was one of multiple planned targets for the day.

Sgt. Arango stated he knew checking BWC was a supervisor responsibility and he would usually check whenever they had a Use of Force. Sgt. Arango stated he could not remember the last time he randomly checked BWC and stated that APO Reagin's last recording being on April 2 would have been on himself. Sgt. Arango stated for the most part, the unit has their cameras on, but as a supervisor he needed to work on that.



Office of Professional Standards

1. OPS NUMBER: 20-0022
2. INCIDENT DATE: 04-14-2020
3. COMPLAINANT: Darryl and Rebecca Faitele
4. ORIGINAL COMPLAINT: Conduct/Use of Force

5. Employee (S) INVOLVED	ASSGN	YRS OF SERV	STATUS
A. APO Ronald Reagin	SIS-Warrants	6 years 7 months	Active
B. Cpl. Daniel Kang	SIS-Warrants	7 years 7 months	Active
C. Sgt. Octavio Arango	SIS-Warrants	14 years 7 months	Active

Chain of Command

Lt. Joseph Toth
Capt. David Gay
Major Devonn Adams

6. GENERAL ORDER(S) APPLICABLE TO INVESTIGATION:

APO Ronald Reagin
SPD GO# OP-067 Body Worn Cameras

Cpl. Daniel Kang
SPD GO# ADM-004 Conduct Unbecoming
SPD GO# ADM-004 Treatment of Others
SPD GO# ADM-007 Reporting a Police Response to
Aggression/Resistance/Force

CITY00165



Sgt. Octavio Arango

SPD GO# ADM-002 Supervisor Responsibility

SPD GO# ADM-004 Neglect of Duty

SPD GO# ADM-004 Conduct Unbecoming

SPD GO# ADM-004 Treatment of Others

SPD GO# ADM-004 Questions of Citizens

SPD GO# OPS-067 Body Worn Cameras

SPD GO# ADM-007 Non-Deadly Force